Planning Subdivisions Near Agriculture

Provincial Agricultural Land Commission

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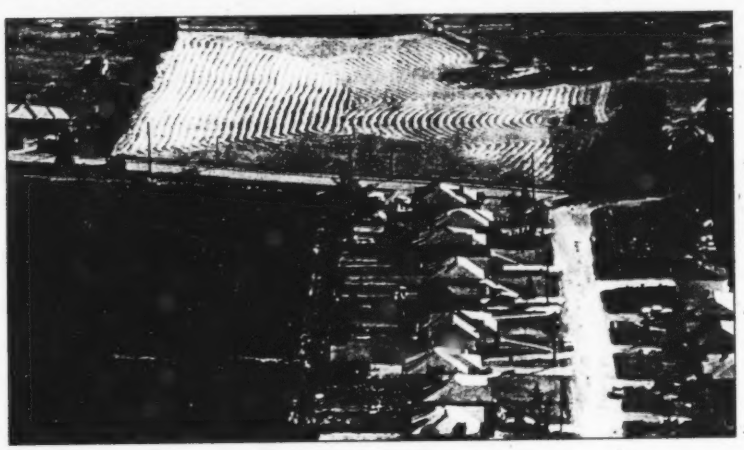
Are You Planning a Subdivision Near Agricultural Lands?

If so, then you and your subdivision design team should read this brochure.

Did you know that an approving officer may refuse your plan of subdivision if your development would unreasonably interfere with farming operations? Or that you may be required to modify your subdivision and development design to buffer or separate the development from the farming operations?

As a result of the *Farm Practices Protection (Right to Farm) Act* which came into effect on April 1, 1996, an approving officer must now consider the potential impact of subdivisions near farming areas. The purpose of this Act is to protect farmers who use normal farm practices, promote a better understanding between farmers and their neighbours, and create greater compatibility between land uses.



When developing a subdivision in or near farming areas, you will need to ensure that the design addresses potential conflicts between non-farm residents and farmers.

Potential Urban/ Agricultural Conflicts

In order to plan your subdivision so that farm families and their new non-farm neighbours can co-exist in harmony, it is important to recognize potential conflicts from both perspectives.

Here are some examples.

CONCERNS ABOUT FARM PRACTICES

Noise from farm equipment, animals, fans, bird-scaring machines, night harvesting, early morning activities

Odours

Chemical spray drift

Dust from fields

Emissions from burning and building ventilation

Farm traffic causing congestion and concerns for safety

Light from greenhouses

Animals straying

Irrigation overspray

Extended hours of operation

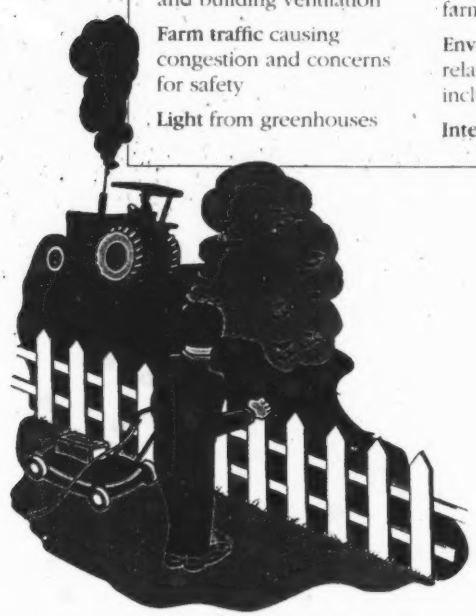
Pollution of groundwater

Debris on roads caused by farm vehicles

Visual impact of unsightly farm operations

Environmental concerns relating to habitat loss, including land clearing

Intensive farming operations



FARMER'S CONCERNS

Complaints about farm practices

Liability concerns

Economic instability caused by urbanization and changing land values

Trespassing by hikers, cyclists, school children, hunters, dogs, off-road vehicles

Theft of crops; **vandalism** to machinery, crops, fences, irrigation equipment; **harassment** of livestock

Damage to equipment, crops and livestock from litter

Crop & irrigation spraying limitations due to urban encroachment

Pollutants from subdivisions entering farm water sources; competition for water; development affecting recharge of groundwater

Flooding and/or **soil erosion** from urban development storm water runoff

Noises reducing animal production

Shading of crops by inappropriate buffering

Cold air drainage pattern interruptions

Noxious weeds and lack of urban weed control; introduction of **pests** and spread of **diseases**

Safety concerns related to slow moving farm equipment, hydro transmission lines, gas lines

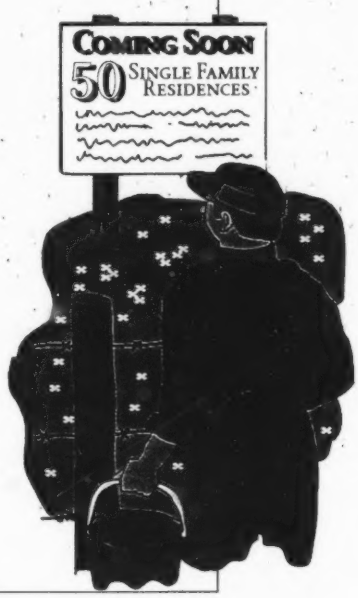
Movement of farm vehicles restricted by physical barriers, urban road patterns and traffic

Street & recreational lights affecting growth patterns of greenhouse crops

Drainage ditch maintenance restrictions due to fish & wildlife concerns

Crop damage due to wildlife

Complaints related to land clearing and animal welfare



Things To Consider When Planning Your Subdivision

The layout of a subdivision offers many opportunities to improve compatibility between farming and other uses. Parcel size, configuration, building setbacks, road patterns, location of park and school sites, drainage patterns and location of sewer and water lines and other services all have implications for agriculture.

Requirements for Access to Lands Beyond Your Subdivision

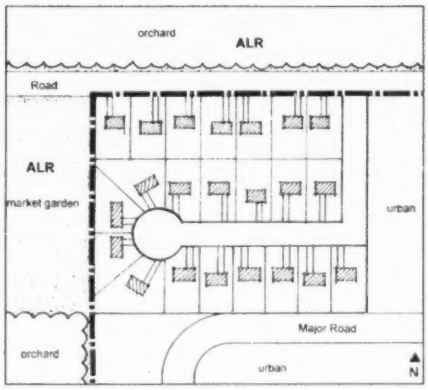
Part of the subdivision approval process requires that your subdivision provide access to adjacent lands that do not already have highway (road) access. However, if your subdivision is adjacent to land within the Agricultural Land Reserve (ALR), the approving officer must now consider this requirement in terms of whether or not the access would unreasonably or unnecessarily increase access to the ALR.

Land in the ALR, whether it is currently farmed or not, is reserved for agriculture for the long term. Road endings directed towards the ALR can unduly increase expectations for land use change, foreshadow urbanization of farm land, and invite trespass and vandalism. It is important to discuss this requirement with the approving officer before designing your subdivision plan.

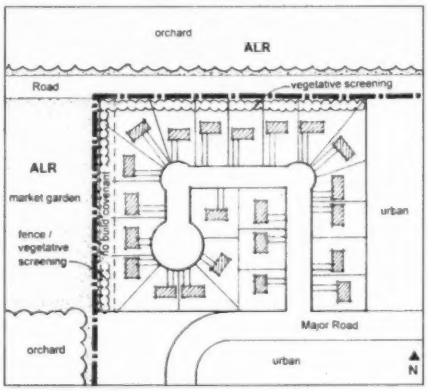
Other features of a subdivision may also have an impact on agriculture. Here are a few examples to show how subdivision plans can be modified to address many potential conflicts.

Example — A residential subdivision next to an orchard and market garden

Potential problems with this subdivision layout include dust, unintended spray drift from chemicals, irrigation overspray, noise, routing of subdivision traffic into farming areas, subdivision runoff, theft of crops and vandalism.



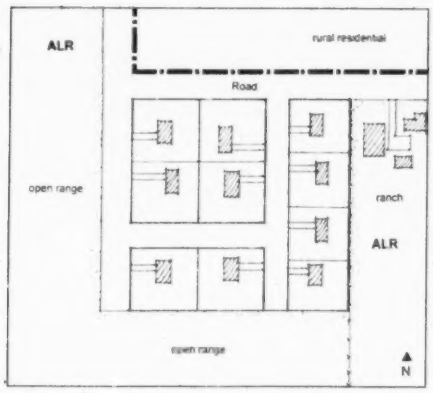
A number of changes could be made to the proposal to reduce or eliminate some of these potential conflicts.



- ❑ redesign the road access to direct traffic away from farming areas
- ❑ increase lot sizes along the interface with farming to provide for greater separation
- ❑ provide vegetative screening and fencing buffers to protect residents from possible spray drift, dust, noise and to deter potential trespass and vandalism.

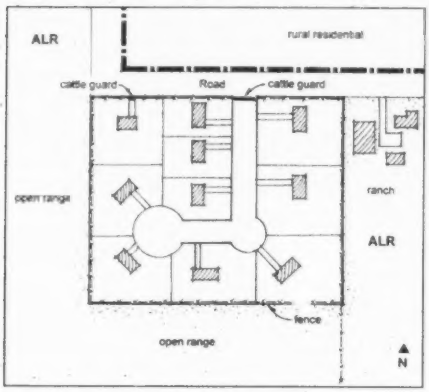
Other changes that may be required by the approving officer or local bylaws may include a "no build" covenant, greater building setbacks along the agricultural edge and drainage requirements to ensure runoff from the subdivision is contained.

Example — A rural subdivision in a ranching area



In this subdivision, potential problems include dogs harassing livestock, cattle straying into the subdivision and road endings directed into open range areas inviting trespass as well as suggesting future subdivision of farm land.

The subdivision could be improved by the following changes.

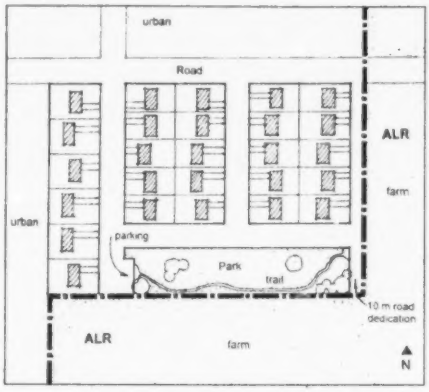


- ❑ providing adequate fencing
- ❑ placing cattle guards at road entries and driveway accesses
- ❑ reducing the number of lots along the ranch boundary
- ❑ eliminating the road endings.

In areas where cattle are permitted to roam freely, fencing and cattle guards are very important considerations in promoting harmony between neighbours.

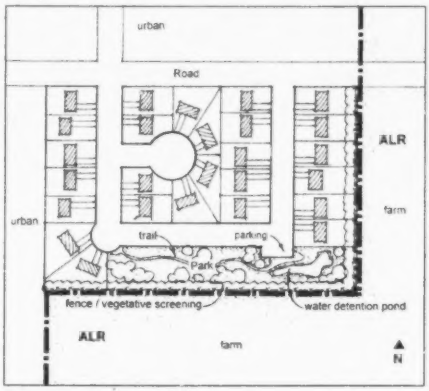
Example — A subdivision involving park dedication

A park or school playing field can act as a buffer between residential and agricultural uses. In this example, however, the park design could also invite trespass and vandalism. Runoff from the subdivision and parking lot may also cause flooding. The road ending and half road width also imply that the adjacent farm will be subdivided in the future.



The following changes could prevent these problems.

- ❑ eliminating the road ending and half road width dedication
- ❑ providing a fence and vegetative screening
- ❑ locating the park trail and parking area away from the agricultural edge
- ❑ preventing runoff onto the farm through ditching, relocation of the parking area and a water detention pond.



When school or park dedication is required, it is important to consider potential issues such as theft, trespass, vandalism, harassment of farm animals, noise and chemical spray drift.

Landscaping Considerations

As you have seen from these examples, one way to reduce potential conflicts between farming and urban development is to provide appropriate buffering between the two uses.

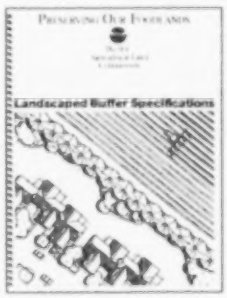
Simple vegetative screens may be appropriate in low impact situations. Comprehensive buffers that incorporate berming, ditching, fencing and planting to screen noise, views, dust, sprays and trespass may be needed in high impact situations. Physical features such as gullies, streams, bluffs and existing vegetation may provide natural buffers if suitable or practical.

Inappropriate buffers however, can be a source of conflict. For instance, large trees may shade crops and certain shrubs may attract birds or insects or harbour diseases that can damage crops.

In order to determine effective and appropriate buffers, it is necessary to consider the types of agriculture that will be carried out adjacent to the subdivision.

In planning a subdivision, it is also important to know that the *BC Weed Control Act* requires land occupiers to control noxious weeds considered harmful to farming. Noxious weeds vary regionally. A list can be obtained from the Ministry of Agriculture, Fisheries and Food. Landowners who currently do not have noxious weeds have the right to protect their property from becoming infested by the careless practices of their neighbours.

► *A useful reference for designing buffers is* ***Landscaped Buffer Specifications****. It discusses buffering and fencing types for various purposes, provides specifications for plant layout and lists acceptable plant material for use in buffer landscaping. The guide can be purchased from the Agricultural Land Commission.*



Storm Water Management

Inadequate storm water provisions within a subdivision can affect adjacent and downstream farms. Rapid surface water runoff can cause flood, erosion or siltation damage. It can also diminish groundwater recharge, lowering water levels serving the farming area. For these reasons, it is important that storm water is controlled both in the subdivision and downstream from it.

Other Considerations

Your subdivision design can address many potential urban/agricultural conflicts. However, it is also important that prospective purchasers understand what it means to live in a farming community. Your promotional material and prospectus or disclosure statement, if required, offer opportunities to make purchasers aware that they are buying land in an active farming area. Living in a rural setting has many attractions but there are activities associated with the business of farming that may generate noise, dust, odours and other disturbances. The *Farm Practices Protection Act* protects a farmer's right to farm.

Where To Find Out More...

Local government Planning and Engineering Departments can provide information on land use regulations and servicing requirements that apply to your proposal. They may also have local knowledge of the types of farming in the subdivision area.

You should also consult with the approving officer to determine appropriate buffering and design considerations that may be required to ensure the development does not interfere with nearby farming operations. If your development is adjacent to the Agricultural Land Reserve, you will also want to discuss access requirements for lands beyond the subdivision.

Discussing your subdivision proposal with these authorities at an early stage in the development process can help you avoid redesign costs and time delays.

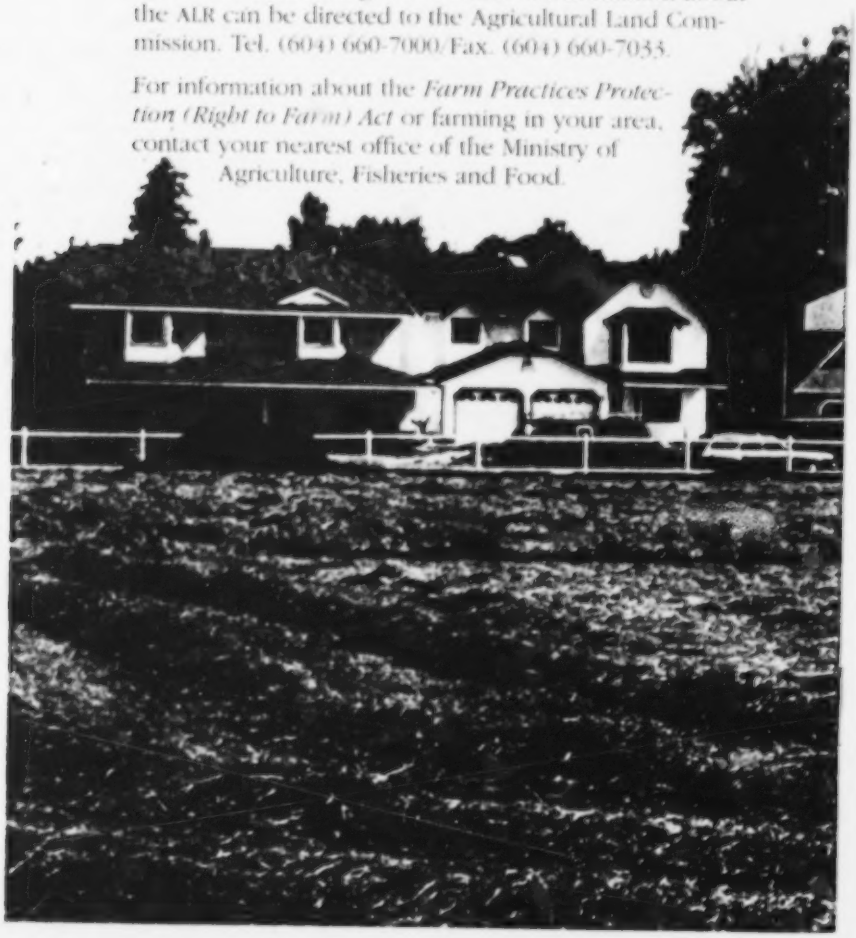
Questions?

If you require information about local plan policies and zoning regulations, your local municipal or regional district office will be the best source of information.

For questions concerning a subdivision proposal, your inquiries should be directed to the local approving officer.

Questions concerning this booklet or information about the ALR can be directed to the Agricultural Land Commission. Tel. (604) 660-7000/Fax. (604) 660-7033.

For information about the *Farm Practices Protection (Right to Farm) Act* or farming in your area, contact your nearest office of the Ministry of Agriculture, Fisheries and Food.



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